

REMARKS

This is intended as a full and complete response to the Final Office Action dated April 27, 2007, having a shortened statutory period for response set to expire on July 27, 2007. Applicants submit this response to place the application in condition for allowance or in better form for appeal. Please reconsider the claims pending in the application for reasons discussed below.

Claims 1-23 are pending in the application. Claims 1-23 remain pending following entry of this response.

Claim Rejections - 35 U.S.C. § 102

Claims 1-23 are rejected under 35 U.S.C. 102(e) as being anticipated by *Kuchinsky et al.* (US 2005/0039123, hereinafter, *Kuchinsky*).

Claims 1-23 are rejected under 35 U.S.C. 102(e) as being anticipated by *Rosenzweig et al.* (7,020,848, hereinafter, *Rosenzweig*).

Applicants respectfully traverse these rejections.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

Regarding *Kuchinsky*:

Kuchinsky does not disclose "each and every element as set forth in the claim". For example, *Kuchinsky* does not disclose "a method for indicating objects in a view of data having corresponding annotations" that includes "generating one or more indicia maps indicating objects in the view having the identified corresponding annotations; and providing an indication of those objects in the view having the identified corresponding

annotations, based on the one or more indicia maps,” as recited by claim 1. Claims 6, 15, and 20 recite similar limitations. The Examiner argues that *Kuchinsky* discloses “generating one or more indicia maps indicating objects in the view having the identified corresponding annotations; and providing an indication of those objects in the view having the identified corresponding annotations, based on the one or more indicia maps” at paragraph 0072. However, the cited passage is in fact directed to superimposing data/information onto a “standard biological diagram.”

The Examiner suggests that the “biological diagram” of *Kuchinsky* is equivalent to an “indicia map.” The Examiner is incorrect. The “biological diagram” referred to by *Kuchinsky* refers to a graphical “biological diagram” that can be “superimposed” with “data of interest” for particular researchers. In the example relied on by the Examiner, the diagram provides the user with information related to a particular “biological diagram,” and does not provide an indication of whether a certain group of data objects have annotations. That is, the “biological diagram” relied on by the Examiner does not provide an “indicia map” as claimed by Applicants.

As defined in Applicants specification, an indicia map is a temporary table that indicates the presence (or absence) of annotations for a given group of data objects presented to a user. See Specification, ¶ [0037]. This interpretation is consistent with the limitation of claim 1 which specifies that the “indicia map” indicates objects in the view having the identified corresponding annotations.” In contrast, the material relied upon by the Examiner describes a biological diagram being displayed with an overlay of additional relevant information. Thus, it does not provide an indication of data objects having (or not having) annotations, and thus does not describe an “indicia map.”

Therefore, claims 1, 6, 15, and 20 are believed to be allowable over *Kuchinsky*, and allowance of the claims is respectfully requested.

In addition, claims 2-4, 7-13, 16-17, 19 and 22-23, being dependent upon claims 1, 6, 15 and 20 respectively, are believed to be allowable, and allowance of the claims is respectfully requested.

Regarding Claims 5, 14, 18 and 21:

Claim 5 further limits claim 1 by specifying that the limitation of “generating one or more indicia maps indicating objects in the view having the identified corresponding annotations” includes “setting a first bit in an indicia map to indicate a first data object has a corresponding annotation.” The Examiner suggests that *Kuchinsky* discloses this at Figure 4A and paragraph 0056. However, paragraph 0056 is merely a definition of an annotation and is completely unrelated to an indicia map and its functionality. Set out in full, this passage provides:

An “annotation” is a comment, link, or metadata about an object, entity, item, interaction, concept, relationship, diagram or a collection of these. An annotation may optionally include information about an author who created or modified the annotation, as well as timestamp information about when that creation or modification occurred.

Kuchinsky, ¶ 56. Similarly, Figure 4A does not disclose an indicia map. Figure 4A discloses a biological diagram with accompanying “experimental data” that is presented to a user. It does not disclose an indicia map which is a temporary table that indicates the presence (or absence) of annotations for a given group of data objects. Further, the Examiner suggests that the mere fact that computers are binary in nature, and therefore, on some level, “all data are formed in bit,” discloses this limitation. Applicants submit that this rather general observation does not demonstrate that *Kuchinsky* discloses an indicia map, where “setting a first bit,” indicates whether “a first data object has a corresponding annotation,” as recited by claim 5. Accordingly, Applicants submit that *Kuchinsky* does not disclose this limitation.

For all the foregoing reasons, therefore, claim 5 is believed to be allowable, and allowance of this claim is respectfully requested. In addition, claims 14, 18 and 21, being rejected on similar grounds, are believed to be allowable, and allowance of these claims is respectfully requested.

Regarding *Rosenzweig*:

Rosenzweig does not disclose “each and every element” as set forth in claims 1, 6, 15, and 20, and therefore, does not anticipate these claims.

Rosenzweig does not disclose “a method for indicating objects in a view of data having corresponding annotations” that includes “generating one or more indicia maps indicating objects in the view having the identified corresponding annotations; and providing an indication of those objects in the view having the identified corresponding annotations, based on the one or more indicia maps.” The Examiner argues that *Rosenzweig* discloses “generating one or more indicia maps indicating objects in the view having the identified corresponding annotations; and providing an indication of those objects in the view having the identified corresponding annotations, based on the one or more indicia maps” at Figures 1 and 2. However, the cited figures are in fact directed to a graphical user interface (GUI) used to navigate a picture database.

In this rejection, the Examiner suggests that Figures 1 and 2 of *Rosenzweig* are themselves equivalent to an “indicia map.” The Examiner is incorrect. Figures 1 and 2 referred to by *Rosenzweig*, refer to different “display levels” of a GUI that can be used to navigate a picture database. Therefore, the function is completely different from that of an indicia map. Namely, the figures do not illustrate an indicia map that indicates which data objects from a group of data object have (or do not have) annotations, as recited by the present claims. Instead, the figures illustrate a group of thumbnail images being displayed on a GUI interface with some additional metadata being displayed for the currently selected thumbnail image.

For all the foregoing reasons, Applicants submit that *Rosenzweig* does not anticipate claims 1, 6, 15, and 20. Therefore, the claims are believed to be allowable, and allowance of the claims is respectfully requested.

In addition, claims 2-4, 7-13, 16-17, 19 and 22-23, being dependent upon claims 1, 6, 15 and 20 respectively, are believed to be allowable, and allowance of the claims is respectfully requested.

Regarding Claims 5, 14, 18 and 21:

Claim 5 further limits claim 1 by specifying that “generating one or more indicia maps indicating objects in the view having the identified corresponding annotations” includes “setting a first bit in an indicia map to indicate a first data object has a

corresponding annotation.” Claims 14, 18, and 21 recite similar limitations. In rejecting these claims, the Examiner relies on the same argument made in the rejection based on *Kuchinsky* to suggest that the mere fact that “bit is an inherent feature in data” discloses this limitation. Applicants submit that the Examiner is incorrect, and that Applicants do not simply claim “bits” in a digital form, rather, claim 5 recites an indicia map, where “setting a first bit,” indicates whether “a first data object has a corresponding annotation.” The fact that a “bit is an inherent feature in data” does not disclose this limitation characterizing an “indicia” in any way.

Further, in rejecting claim 14, the Examiner suggests that element 116 of Figure 1 is equivalent to an indicia map. This element, in fact, provides an “information box” that contains information related to a particular photograph, and simply does not provide an indication of which of the thumbnail images have (or have) not been annotated. As stated, an indicia map is a temporary table that indicates the presence (or absence) of annotations for a given group of data objects. The “information box” disclosed in *Rosenzweig* does not provide this function.

Accordingly, for all the foregoing reasons, Applicants submit that *Rosenzweig* does not disclose this limitation. Therefore, claims 5, 14 18, and 21 are believed to be allowable, and allowance of these claims is respectfully requested.

Conclusion

Having addressed all issues set out in the office action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

If the Examiner believes any issues remain that prevent this application from going to issue, the Examiner is strongly encouraged to contact Gero McClellan, attorney of record, at (336) 643-3065, to discuss strategies for moving prosecution forward toward allowance.

Respectfully submitted, and
S-signed pursuant to 37 CFR 1.4,

/Gero G. McClellan, Reg. No. 44,227/

Gero G. McClellan
Registration No. 44,227
PATTERSON & SHERIDAN, L.L.P.
3040 Post Oak Blvd. Suite 1500
Houston, TX 77056
Telephone: (713) 623-4844
Facsimile: (713) 623-4846
Attorney for Applicants